

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

CLARENCE A. SMART, JR., :  
Plaintiff, : Case No. 3:14-cv-392  
v. : Judge Thomas M. Rose  
CAROLYN W. COLVIN, : Chief Magistrate Judge Sharon L. Ovington  
Acting Commissioner of the Social  
Security Administration, :  
Defendant. :  
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**ORDER OVERRULING OBJECTIONS (DOC. 14) TO THE REPORT AND  
RECOMMENDATIONS (DOC. 13); ADOPTING THE REPORT AND  
RECOMMENDATIONS (DOC. 13) IN THEIR ENTIRETY; AFFIRMING  
THE COMMISSIONER'S NON-DISABILITY DETERMINATION; AND  
TERMINATING THIS CASE**

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This is an action under 42 U.S.C. § 405(g) for review of the decision of the Commissioner of Social Security (“Commissioner”) denying Plaintiff’s applications for Disability Insurance Benefits and Supplemental Security Income. On November 23, 2015, Chief Magistrate Judge Sharon L. Ovington entered a Report and Recommendations (Doc. 13), which recommended that this Court affirm the Commissioner’s non-disability finding. On December 9, 2015, Plaintiff filed Objections (Doc. 14) to the Report and Recommendations. The Commissioner did not file a response to Plaintiff’s Objections, and the time to do so has expired. This matter is therefore ripe for the Court’s review.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that Plaintiff’s Objections (Doc. 14) to the Report and Recommendations (Doc. 13) are not well taken

and they are hereby **OVERRULED**. The Court **ADOPTS** the Report and Recommendations (Doc. 13) in their entirety, and therefore **AFFIRMS** the Commissioner's non-disability determination. The Clerk is **ORDERED** to terminate this case on the docket of this Court.

**DONE** and **ORDERED** in Dayton, Ohio, this Thursday, December 31, 2015.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE